

116TH CONGRESS  
2D SESSION

# S. 4750

To assist Tribal entities in deploying broadband using the 2.5 GHz spectrum band.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2020

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To assist Tribal entities in deploying broadband using the 2.5 GHz spectrum band.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Internet Development  
5       for Tribes Act of 2020”.

6 **SEC. 2. USE OF 2.5 GHZ SPECTRUM BAND BY TRIBAL ENTI-**

7       **TIES.**

8       (a) DEFINITIONS.—In this section—

9           (1) the term “Commission” means the Federal  
10          Communications Commission;

1                         (2) the term “covered license” means a license  
2                         acquired in the Rural Tribal Priority Window;

3                         (3) the term “covered licensee” means the hold-  
4                         er of a covered license; and

5                         (4) the term “Rural Tribal Priority Window”  
6                         means the priority filing window for Tribal entities  
7                         to obtain licenses for spectrum in the 2.5 GHz band  
8                         established in the Report and Order in the matter  
9                         of Transforming the 2.5 GHz Band adopted by the  
10                        Commission on July 10, 2019 (FCC 19–62).

11                       (b) PRESERVATION OF TRIBAL LICENSES.—The  
12                        Commission may not—

13                        (1) impose any build-out or performance re-  
14                         quirement on a covered licensee; or

15                        (2) cancel or terminate a covered license if a  
16                         covered licensee fails to meet any construction or  
17                         performance benchmark.

18                       (c) TECHNICAL ASSISTANCE.—

19                        (1) IN GENERAL.—At the request of a covered  
20                         licensee, the Commission shall provide technical as-  
21                         sistance and guidance regarding the most effective  
22                         use of the 2.5 GHz band for wireless and broadband  
23                         services, including with respect to—

24                        (A) infrastructure acquisition and develop-  
25                         ment;

12 (d) EQUIPMENT ACQUISITION GRANTS.—

13                             (1) IN GENERAL.—The Commission shall award  
14 grants to covered licensees, on a competitive basis,  
15 for the acquisition of appropriate equipment and  
16 services related to use of the 2.5 GHz band, includ-  
17 ing—

(A) appropriate backhaul infrastructure and edge devices;

(B) educational equipment, such as laptop tops:

22 (C) installment of equipment (other than  
23 educational equipment) or required permitting  
24 and right-of-way services; and

1                             (D) any other type of equipment or service  
2                             identified by the Commission in consultation  
3                             with the Office of Native Affairs and Policy of  
4                             the Commission and the Native Nations Com-  
5                             munications Task Force.

6                             (2) DURATION OF GRANT.—A grant awarded  
7                             under paragraph (1) shall be for a period of 2 years.

8                             (3) APPLICATION.—Not later than 1 year after  
9                             the date of enactment of this Act, a covered licensee  
10                            seeking a grant under paragraph (1) shall submit an  
11                            application to the Commission in such manner, and  
12                            containing such information, as the Commission may  
13                            require.

14                            (4) CONSULTATION.—In developing the grant  
15                            program under this subsection, including criteria for  
16                            applications under paragraph (3), the Commission  
17                            shall consult with the Office of Native Affairs and  
18                            Policy of the Commission and the Native Nations  
19                            Communications Task Force.

20                            (e) SURPLUS EQUIPMENT.—

21                            (1) GAO REPORT.—Not later than 180 days  
22                            after the date of enactment of this Act, the Com-  
23                            troller General of the United States shall assess and  
24                            submit to Congress a report on whether the Federal

1       Government possesses any surplus equipment that  
2       can be used to access the 2.5 GHz band.

3                   (2) TRANSFER TO FCC.—If the Comptroller  
4       General finds under paragraph (1) that the Federal  
5       Government possesses surplus equipment that can  
6       be used to access the 2.5 GHz band—

7                   (A) each Federal agency that is found to  
8       have such surplus equipment shall transfer the  
9       equipment to the Commission; and

10                  (B) the Commission shall distribute the  
11       equipment to covered licensees to aid the licens-  
12       ees in deploying broadband service using the  
13       2.5 GHz band.

14                  (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
15       authorized to be appropriated to the Commission—

16                   (1) \$25,000,000 for technical assistance grants  
17       under subsection (c)(2); and

18                   (2) \$100,000,000 for equipment acquisition  
19       grants under subsection (d).

